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MEXICAN AGRARIANISM

BY HERBERT INGRAM PRIESTLEY

MEXICO has always had her land problem, since the days of Cortés. Often, during colonial days, reform was predicated on redistribution of the land. Never, since the days of independence, has a savior of the people arisen who did not in some way hold out readjustment of agrarian difficulties as an inducement wherewith to acquire followers. But few if any of the schemes proposed accomplished the ends sought, and when those ends were achieved they proved unhappy solutions of a vexed and complicated situation.

Hence it was not surprising that Francisco Madero should have attempted to restore to his followers the lands of which they had from time to time been deprived; but it was even less surprising, taking into consideration Madero's idealism and the character of the group of politicians which surrounded him, that his scheme of land distribution should also have failed.

But after he had gone, the radical wing of his followers was supreme in the Convention of Querétaro which, under the leadership of Venustiano Carranza, framed the revolutionary Constitution promulgated on February 5, 1917. Article 27 of that organic law committed the country to the radical programme of land reform which is in operation to-day under an extension of the theory of eminent domain. The present party in power proposes to take, and is taking, parts of great estates, practically without regard for the justice or injustice with which they were acquired, to subdivide and redistribute to the landless native population. A measure of distinction is drawn in alienating these lands. In most cases the old Indian towns possessed communal lands, called *ejidos*, bestowed upon them under colonial laws, for the sustenance of the native population, which was almost purely agricultural. When such lands are identified and returned to the natives, the process is called

“revindication” or “restitution”. Where it is found that native communities did not possess such lands, or possessed them in insufficient quantity, the process is called “dotation”. In either case the land is being taken from the large landowners by action almost wholly administrative, in which the *hacendado* has only tardy recourse to courts of justice. Revindication connotes no indemnity; dotation presumes governmental obligation to pay one.

The present agrarian programme really began under an executive decree issued by President Carranza on January 6, 1915, which authorized the bestowal of communal lands upon Indian towns by provisional act of the National Agrarian Commission, before a reglementary law could be passed and also before suitable indemnification could be provided by government action. This pre-constitutional decree of January 6, 1915, was amended by another presidential decree, also pre-constitutional, dated September 19, 1916; the amendment did away with the “provisional bestowals”, and sought to establish the practice of providing indemnification when lands were taken from estates and bestowed upon towns.

Recently the claim was made in the Senate by Senator Ortiz Rodríguez of Michoacán that the intention was to incorporate the amended and not the original decree in the Constitution, and hence that the present programme of bestowing *ejidos* without previous indemnification was unconstitutional. This opinion was heard upon the occasion of a vote taken by the Senate upon the introduction of the new agrarian law in that body, accompanied by the request of President Obregón to have the decree of September 19, 1916, and its reglementary law of December 28, 1920, specifying certain processes for petitioning for *ejidos*, annulled. If the reforms in legislation asked for by Senator Ortiz Rodríguez were to be adopted, an amendment to the Constitution would be required. Señor Andrés Molina Enríquez, of the Commission, pointed out that the royal Government of Spain, when it established its Ordinances for Intendants in 1786, provided for administrative seizure of lands for specific purposes under Article 61 of that instrument, and that such action by an autocratic Government may be esteemed

a precedent, when the exigency is as great as that which now exists. At any event, the Agrarian Commission proceeds serenely with "dotation" and "restitution" alike, calling upon the Federal army to enforce its decisions whenever difficulty is encountered, as is frequently the case.

The administrative procedure whereby native towns become possessed of communal lands was defended by General Antonio I. Villareal, the recently resigned Secretary of Agriculture. Before action is taken in regard to a town, its representatives go before the Agrarian Commission of the State in which they reside with their petition for lands. This Commission is appointed by the Governor, and works in harmony with the National Agrarian Commission, which is responsible to the President. The State Commission hears the petitioners' request for an *ejido*, that is a square league or more, of communal land. When the petition is received, the local Commission takes a rough census to determine how much land will be required in order to provide each head of a family with an appropriate number of hectares of land, usually three or four hectares. Then surveyors make the necessary measurements, and the lands are distributed to the Indians from the estates which lie around their village. When these "possessions in first instance" have been bestowed, the former proprietors, who have not been consulted up to this point, may interpose a writ of *amparo*, a sort of writ of review, before the courts, to determine whether the expropriation shall stand or not.

Naturally enough, seizure of land in this manner has raised howls of indignant protest all over the land. The large landholders have long been the constructive prey of the Radicals. They have grown accustomed to insecurity in titles; they have suffered without recourse the widespread spoliation of the days of actual warfare. But their protests against the current programme have become at last vehement to the point of absurdity. I rarely met an *hacendado* last summer who did not beseechingly invoke intervention by President Harding at once in order to bring to an end the disgraceful robberies of which the *hacendados* are victims. This class of agriculturists would hail intervention as their last hope of salvation. The agriculturists have

indeed been harassed by some pretty high-handed measures, but Señor Rodríguez Cabo, Director of Agriculture, told me that such instances were due to the unmeasured zeal of local fanatics, and were not being upheld by the national authorities.

The process of bestowing communal lands, something over one thousand parcels of which have been granted, has been attended with many evils. In Guanajuato, in one instance at least the peons who were farming lands on shares were obliged to revoke their contracts with the proprietors for such labors, and to accept *ejidos* against their will, under penalty of imprisonment for continued refusal. In some cases where original possession by the town was at least dubious, the bestowal has been by way of "restitution", whereas "dotation" would have at least raised the question of indemnification. In some cases those who received lands, having no plows, teams, seed, nor food for sustention until crops might be harvested, have fallen prey to speculators who have charged exorbitant prices for these necessities. In very many cases lands taken by communities have been left fallow, whereas they previously yielded ample crops. In other instances large holders, fearing expropriation, have refused to plant normal crops, in the apprehension that they would lose them at harvest time.

The complaint is also raised that the Government takes lands from cultivated estates for subdivision, even where, as in the State of Jalisco, it possesses ample extent of national lands suitable for the purpose. In many regions political ends rather than economic improvement have been sought. In Yucatán the State Government has used the bestowal of *ejidos* as a weapon with which to compel allegiance to the dominant Socialist party. The Secretary of Agriculture has warned the Socialists and other politicians that the agrarian programme is technical, not political, and that political advantage is not to be sought through bestowal of lands. The trouble is that other officers of the central Government encourage such activities. The loudest complaints are that the demands for lands often come from natives whose vocations are industrial and not agricultural, that the bestowals are often made in such a way as to reduce production rather than to encourage intensive agri-

culture, that grants are often excessive in size, and are made from the best lands of intensively cultivated estates. Señor Molina Enríquez of the Agrarian Commission defends the latter feature of the programme, saying that if the Indians were to be given the poor, unirrigated lands, the agrarian policy of the Government would necessarily fail, as its many enemies wish it to do. Besides, in many cases the irrigable lands, for which the *hacendado* has erected an expensive reservoir, are precisely those areas from which the Indians were at some time evicted.

The serious problem is not, as has been pointed out by many friends of Mexico, the creation of small properties. The essential thing is the creation of small proprietors. Those who criticise the Government's programme would create or educate the latter first. They would endow the peon with superior agricultural knowledge, organize him into syndicates, equip him with modern farming machinery after he has been taught to use it, provide him with ample water rights, and suitable land credits to insure his subsistence between crops, apparently before they would sell him land. Above all things, they would see to it that the land he is to become possessed of should come to him not by expropriation or confiscation, or even by indemnification through government bonds, but by payment in cash before alienation occurs. Needless to say, the Socialistic trend of the times in Mexico looks askant upon such a conservative programme. It would measurably retard distribution. There are even those who demand the nationalization of as much agricultural land as possible by organizing the small farmers into syndicates, and making it possible for them to acquire full title in leased lands after a rental period of five years, with no capital purchase price. This proposal is not endorsed by the Government.

The National Agrarian Commission has shown a reasonable attitude in subdividing *ejidos* bearing crops, though its orders have not always been observed. A circular of last July to all agrarian authorities ordained that all lands required for dotation but bearing annual crops should be left to the proprietors until the standing crops could be harvested. Lands bearing the maguery plant, coffee trees, guayule, sugar cane, or other crops

requiring more than a year to mature the product, are to be left untouched if other lands suitable for subdivision are available, and indemnification is to be provided when such long-time crops are on lands that are to be taken. Search is being made in various States for national lands from which *ejidos* may be had; in five States alone over 2,000,000 hectares of such lands are in possession of the nation, and it is expected that available areas within these extensions will be given to native communities.

Colonies are being established in various parts of the Republic for retired soldiers and army officers, and for repatriated laborers and those whose employment in the oil fields has terminated. One colony recently undertaken is in the Territory of Quintana Roo. Some doubt has been expressed as to the advisability of establishing small holdings in the peninsula of Yucatán, as the characteristic henequin crop there requires exploitation on a large scale in order to assure success. The military colonies are fathered by Dr. José Siurob and General Gildardo Magaña. The plan is favored by President Obregón; it will, if successful, have a helpful influence in the solution of the spiny problem of reducing the highly over-officered Mexican army.

It has been stated that estates held by foreigners are not to be subjected to partition for *ejidos*. This must be construed to apply to estates held under contracts not yet declared to have become invalidated by failure to colonize or for other causes. Such properties, many of which lapsed because disturbed conditions during the revolution prevented compliance with contractual conditions, have been the object of hostile legislative and executive action in certain States, notably in Sonora and Sinaloa. If foreign holdings should be held exempt the state of the Mexican citizen would be worse than that of the foreigner, but as a matter of fact some foreigners at least have suffered more than some Mexicans, in this respect. The Association of American Owners of Lands in Mexico points out that the laws originating in the recent revolution seek redistribution of privately held lands, for private purposes; that Article 27 deprives landowners of their prescriptive rights of possession, use, and alienation; that this Article is in effect retroactive, and if otherwise con-

strued it becomes a legal nullity and inoperative. This body seeks relief in an amendment to the Constitution of Mexico, or preferably in a return to the Constitution of 1857, alleging that recent decisions of the Supreme Court or statements by the President as to non-retroactivity of Article 27 are insufficient to restore the security of their acquired rights.

Mexican landowners have attempted various methods of abating the evil. In the State of Mexico the Legislature in August authorized expenditure of 100,000 pesos to purchase lands for subdivision. The *hacendados* are to provide the money, in order to protect their lands from expropriation. The first purchase was to be of 700 hectares for subdivision to applicants with seeds, teams, etc. This is the most conciliatory attitude so far manifested by the agricultural interests. In the State of Jalisco the agriculturists organized a syndicate to oppose the Government programme. This organization has since become national in scope and membership. Its leader, José Gutiérrez Hermosilla, frankly announced that the organization of this guild of *hacendados* was due to the necessity of protecting agriculture from the campaign of the National Agrarian Commission. This syndicate proposes to include field laborers in its membership, and will work for the improvement of their condition. It recognizes the legitimate existence of farm laborers' guilds, and offers to coöperate with them "when they are inspired by respect for individual property", but it will "defend by all legitimate means the rights of proprietors when they are prejudiced unjustly by laws, acts, or whatever authority may be animated by agitators or perturbers of the public tranquillity."

In Chihuahua leaders of the Association of Proprietors are more mild. They do not oppose subdivision, but point out that their huge holdings were legally acquired and that the Government must surely provide indemnity before expropriation. They insist that there is no real agrarian problem in the State, nor will there be until it is created by the development of irrigation works. Possibly their placidity is due to the defense they have in the normally arid condition of the land, which will hold back small farming until more irrigation is de-

veloped. At present the relatively small number of 38,000 hectares have been expropriated in that State.

The Department of Agriculture continues its active policy of endeavoring to improve farming conditions throughout the Republic. It is sending a respectable number of young men to the best agricultural schools in the United States. It is establishing a new agricultural institution at Chapingo, near Mexico City, and during the past year one of its representatives has been canvassing our agricultural colleges for good instructors to place in that school and at the school at Tacuba in the capital. German agriculturists are also sought. Implements for farm labor are imported duty free. A liberal budget has been requested for the operations of the coming fiscal year. An effort to provide agricultural loan banks to protect small proprietors from extortionate rates of interest in financing their operations has still to be worked out. If extreme radicalism can be prevented from destroying confidence by senseless expropriations, if irrigation and credits can be established to catch pace with needs, the land of Mexico may be brought to contribute a normal measure of the food supplies of which the country stands in such perpetual need. The forced resignation of General Villareal from the Secretaryship of Agriculture last December, after investigation of the acts of his subordinates by the President, may safely be considered a hopeful sign that less radical measures will prevail in future. President Obregón, in sympathy with the revolutionary struggle in behalf of the indigent rural population, indicates a commendable desire to protect property interest to a saner degree than some of his subordinates. The wrath of the nation against age-old agrarian abuses needs careful direction toward sanity, the elimination of political self-interest and social ruthlessness, and admonition that haste made slowly brings the most rapid and substantial progress.

HERBERT INGRAM PRIESTLEY.